

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RYAN JOHN OSWALD,

Plaintiff,

ORDER

10-cv-31-bbc

v.

VIKING COLLECTION,

Defendant.

RYAN JOHN OSWALD,

Plaintiff,

ORDER

10-cv-32-bbc

v.

PRIMARY FINANCIAL,

Defendant.

JOHN OSWALD,

Plaintiff,

ORDER

10-cv-289-bbc

v.

AMERICAN EXPRESS and
KENNETH CHENAUCT,

Defendants.

JOHN OSWALD,

Plaintiff,

ORDER

10-cv-290-bbc

v.

AMERICAN AIRLINES
and GERARD ARPEY,

Defendants.

Plaintiff has failed to respond to this court's June 25, 2010 order in case nos. 10-cv-31-bbc and 10-cv-32-bbc directing him to pay all of his unpaid filing fees in this court or show cause why he should not be sanctioned under Support Systems International, Inc. v. Mack, 45 F.3d 185 (7th Cir. 1995), for failing to prosecute three cases filed in this court within the last year. In light of plaintiff's failure to respond, I will order the clerk of court to return unfiled plaintiff's filings in pending and future cases until he has paid the \$1400 he owes for his cases before this court. The clerk will retain an electronic copy of the documents plaintiff attempts to file, but the court will take no further action on those documents. There are some exceptions to the filing bar: plaintiff may still file applications for a writ of habeas corpus or documents in any criminal case in which he is a defendant. In addition, this court will consider complaints in which plaintiff alleges he is in imminent danger of serious

physical harm. Ammons v. Hannula, No. 08-cv-608-bbc, slip op. at 13-16 (W.D. Wis. Nov. 5, 2008). This order will expire when plaintiff pays the amount due. Plaintiff may file a motion to modify or rescind this Mack order no earlier than two years from the date of this order.

This order applies to the two cases plaintiff filed recently, case nos. 10-cv-279-bbc and 10-cv-280-bbc. These are new complaints that have not yet been screened under 28 U.S.C. § 1915. If plaintiff has not paid his unpaid filing fees by August 2, 2010, the clerk of court will be directed to close those two cases. (Case nos. 10-cv-31-bbc and 10-cv-32-bbc were closed on June 28, 2010 after plaintiff failed to respond to summary judgment motions filed by the defendants in those cases.)

ORDER

IT IS ORDERED that

1. The clerk of court is directed to make an electronic copy of any papers submitted either directly or indirectly by or on behalf of John Oswald in any pending or future case in this court and to return the paper copies to plaintiff. The court will take no action on any of the proposed suits until plaintiff pays in full all filing fees from all of his federal suits, with the following exceptions: criminal cases, applications for writs of habeas corpus and cases in which plaintiff alleges he is in imminent danger of serious physical harm.

2. Plaintiff is authorized to submit to this court a motion to modify or rescind this Mack order no earlier than two years from the date of this order.
3. Plaintiff may have until August 2, 2010, to pay what he owes under the Mack order. If he fails to do so, the clerk of court is directed to close case nos. 10-cv-289-bbc and 10-cv-290-bbc.

Entered this 19th day of July, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge